

## IN RUINS.

### The Missouri State University Destroyed By Fire.

Only the Bare Walls of the Great Institution Left—The Magnificent Library and Fine Paintings Destroyed—Loss, \$400,000.

COLUMBIA, Mo., Jan. 11.—The main building of the Missouri state university was destroyed by fire Saturday night, causing a loss of about \$400,000. The chapel was to have been used that evening for an open session of the Athanasean society and the building was accordingly lighted and heated. The audience had begun to assemble when the falling of the large chandelier in the auditorium gave notice that something was wrong. An investigation followed and a fierce fire was discovered in the library above. The fire had started from an electric light wire and was under full headway before it was discovered. Fortunately the entire audience was able to get out safely and no one was hurt to any extent. The whole of the east wing and central portion of the building were soon a mass of ruins though the main wall still stood, but the fire was gradually eating its way into the new west wing and all hopes were given up of saving any portion of the main building. Attention was then turned toward saving the contents.

The entire contents of the library—40,000 volumes and several hundred portraits—is a total loss, as are also the furnishings of the chapel.

The total loss will exceed \$400,000 with an insurance of \$130,000, \$10,000 of which is on the library. The electric and other apparatuses were saved.

The west wing soon caught fire and shortly after midnight there was nothing left of the great building but the walls. A large quantity of loaded cartridges were stored in the basement, and when these began to go off there was a stampede.

The famous Dr. Laws' elephant is among the things rescued and now reposes on the snow.

The central portion of the building, known as the main building, was built in 1845, while the two magnificent wings east and west were erected in 1884 at a cost of \$100,000.

Although the main university building is a mass of ruins, the school will go on. The governor and members of the board of curators have been telegraphed for.

A later account says that the state university's loss by fire includes the geological cabinet, \$15,000, containing many rare specimens; physical laboratory apparatus, \$4,000; military department, \$5,000. Among the faculty on books, etc.: Dr. Blackwell, \$3,000; Prof. Burnam, \$2,000; Prof. Jones, \$1,000; Judge Martin, \$2,500; natural museum, \$5,000; Prof. Parrinton, \$1,200. Complete aggregate, \$850,000. Insurance \$130,500 upon main building, \$10,000 upon library, \$3,000 upon museum and \$1,000 upon furniture.

### THE McALESTER HORROR.

Fifty-seven Dead Bodies Taken From the Mine—Miraculous Escape of the other Entombed Men.

McALESTER, I. T., Jan. 11.—All the bodies have been taken out of the mines, and the list stands now: Fifty-seven dead and 117 wounded, five of whom will surely die. It was a sad sight to see the funeral procession which conveyed the unfortunate miners to their last resting place, most of whom were laid side by side, the largest funeral being that of George Lindsey and son, who were very popular. The Catholic and other two churches were scenes of a succession of services yesterday.

At Krebs twenty-five men have been digging graves since Friday, night and day, and it was necessary to hold eight of the bodies, the graves not being ready. In an interview William Cameron, superintendent of the mines, said: "Thirty-nine men were killed in the mine and eighteen have died since. The company can in no way be held responsible for the explosion, as the mine has been carefully examined by experts, who claim the ventilation was good and there was no gas in any part of the mine. The fault was in the entry man firing his shots contrary to orders, which were not to be fired until 5:30 p. m., when all the men would be out of the mine. The fan never stopped running and the 196 live men were taken out within seven hours after the explosion, thus showing splendid management. The mines will be clear within ten days and it will take 150 carloads of slate and rock to clear the first passage."

One hundred survivors of the terrible disaster who are reported living are lying at death's door, swathed in cotton and vasoline to the eyes, with their hair and finger nails burned from their bodies and the cooked flesh dropping from their bones.

There was a light in every house in the contiguous mining towns of McAlester, South McAlester, Krebs and Alderson last night, and there is mourning in every family.

The whole country for miles around is given up to mining in ground which is leased from the Choctaw Indians on a royalty. All the mines have shut down and the miners are here in mass, anxious to assist in recovering the bodies of their unfortunate comrades.

The dead men were of all nationalities, American, Irish, Scotch, Welsh, Poles, Italians and Swedes. All classes of people are represented, except the negroes.

## STILL ANOTHER.

A Fast Express Train Hurled Down an Embankment in Indiana—Two Killed and Many Injured.

CRAWFORDSVILLE, Ind., Jan. 12.—Between 2 and 3 o'clock yesterday afternoon the north bound Monon train ran off the track about two miles north of here at Nicholson crossing and four cars rolled down a fifty foot embankment, the engine and one baggage car keeping the track. The trouble is supposed to be due to a broken rail. The first passenger coach rolled over three times. It was full of passengers, and caught fire from the stove, but all occupants escaped alive. The express car went over, but no one in it was severely hurt. The ladies' coach was literally torn to pieces, as was also the parlor car. Here was the greatest damage. There was hardly a passenger on the train who escaped injury. Help was soon at hand and in a few moments the road was full of the maimed on their way to town.

The following were killed: Ben Hamburg, Cincinnati, a traveling man, and Madame Elva Van Rokey, of the "City Club" Opera Co.

### THE INJURED.

The injured of the "City Club" Co. are:

Mack Rogers, badly hurt in leg and back.

Gus Rogers, back injured.

Stella Clifton, legs and back hurt.

Helen Love, internally injured.

Cora White, Syracuse, N. Y., slightly injured about the head.

Fannie Everett, St. Louis, internally injured.

Olla Lewis, bruised about head.

Henry C. Bryant, Philadelphia, back sprained and head hurt.

Madge Barner, Pittsburgh, head bruised.

The other injured are:

M. G. Rutledge, porter chair car, face mashed.

C. N. Cornwell, roadmaster, internal injuries.

John Winshester, Louisville, baggage-master, injured about shoulders and back.

George Cutter, express messenger, Louisville, internal injuries.

W. M. Snyder, newsboy, Chicago, shoulder broken.

William Bishop, brakeman, Lafayette, Ind., severely burned.

John Bills, conductor, hurt internally.

Nellie Hauley, crushed; will die.

Ezra Hibbs, Wheatfield, left arm broken, right hand cut off.

Mrs. Ann Hibbs, Wheatfield, face mashed.

Dr. E. Whitesides, spine seriously fractured.

Dave Malsbury, Romney, eye gouged out, arm and leg broken.

C. N. Creek, Greencastle, right leg cut off below the knee.

Fox, New Albany, head cut and leg mashed.

Paul Allen, head crushed.

Thomas Monase of the opera troupe, hurt internally.

C. F. Hoyt, side and back and head badly injured.

C. W. Loeveden, Salem, leg badly crushed.

Eva Marshall, Ellettsville, side and face crushed.

J. J. Enright, Chicago, knee and head hurt.

Melvin McKee, Chicago, head, hip and back injured.

Of this city there were also eight persons injured, but none seriously.

Rescuers are now searching for the body of a little girl supposed to be buried in the debris.

The cause was the breaking of a rail. The piece broken off was eight feet long. The locomotive and baggage cars moved it out of position and escaped.

The mail and express made a header down the steep hill, which was ninety feet high, and stopped right side up, resting on the sleeper. The smoker, the ladies' coach and the Pullman chair car went over and over sideways and stopped 100 feet from the track.

Forty passengers were in the smoker and it took fire and burned up. One end of the Pullman fell on the ladies' car, in which were the "City Club" Opera Co. Then the trucks came rolling down the steep slope. One struck the Pullman and smashed it and another crashed through the ladies' car.

Fifty men cutting ice a few feet away rushed to the rescue and prevented a holocaust. They got everybody out of the cars and saved those at the smoker from fire. The train was running thirty miles an hour when the accident happened.

### Confirmations by the Senate.

WASHINGTON, Jan. 12.—The senate in executive session has confirmed the following nominations among others: Court of private land claims, Joseph E. Reed, of Iowa; W. W. Murray, of Tennessee; H. C. Sluss, of Kansas, and W. F. Stone, of Colorado; United States district judges, W. W. Morrow, for the northern district of California; J. S. Woolson, for the southern district of Iowa; H. C. Niles, for the northern and southern district of Mississippi; E. W. Camp, for the district of North Dakota; M. A. Montgomery, for the northern district of Mississippi; Warren Truitt, of Oregon, for the district of Alaska. William McCoy, of Indiana, minister resident and consul-general to Liberia; William B. Hess, of Indiana, United States consul-general at Constantinople; D. S. K. Buck, of Oregon, at Sonneborg; W. W. Harrigan, of Michigan, chief of the weather bureau, department of agriculture; Walter Wyman, of Missouri, supervising surgeon of the marine hospital service.

## "SAND CREEK" MASSACRE.

An Old Historic Case in the Court of Claims.

WASHINGTON, Jan. 12.—An interesting case is pending in the court of claims. It is brought by Col. John M. Chivington, of Denver, against the United States and the Sioux nation of Indians for Indian depredations committed in April, 1867, in Wyoming. The claimant alleges that the Indians stole 393 head of oxen and twenty-three head of horses, of the value of \$32,850. He asks judgment against the government and Indians. Assistant Attorney-General L. W. Colby, in charge of the defense of this class of cases, sets up a counter claim and set-off in behalf of the Indians, alleging the massacre of a large number of Indians, men, women and children, at Sand Creek, Col., by Col. Chivington and his regiment on November 27, 1864, and the destruction of property belonging to said Indians to an amount far exceeding in value that of the claimant's claim.

This is one of the old historic cases, and was known as the "Chivington" or "Sand Creek" massacre. It was reported at the time that some 1,200 Indians of all ages and sexes were killed and their scalps taken and bodies mutilated by white men. Col. Chivington, prior to his location in Denver, was a Methodist preacher and the presiding elder for that church in the South Platte county of Nebraska for several years. The massacre is agreed by all to have been one of the most foul and dastardly on record. A special commission was appointed by the president to examine into this matter, consisting of Gen. W. T. Sherman, N. J. Taylor, John B. Henderson, Gen. John B. Sanborn, Alfred H. Terry and others. A congressional committee was appointed, after much discussion, to investigate the case, composed of such eminent statesmen as Senators Foster and Doolittle and Ben Wade. A military commission also investigated the massacre, sitting seventy-three days at Denver and Fort Lyon, taking testimony, and the evidence given before this commission alone occupies over 200 printed pages.

It appears that the Indians at the request of Gov. Evans, then governor of the territory of Colorado, had come into Fort Lyon for protection and had been located on Sand creek, about forty miles distant, and were under charge of the United States officers and agents. They were friendly, and committed no depredations, and had been there for months subject to government control, with their families, wives and children.

The United States flag floated over the camp and a white flag also, by direction of the United States officers as an additional precaution. The evidence in the investigation shows that the Indians were nearly defenseless and unarmed as the United States officers had required them to give up their guns before they went into camp; that attack was made on them without warning, the women and children as well as men killed and scalped, their ears and noses cut off; children shot at their mothers' breasts, and the bodies mutilated in the most horrible manner.

This case will doubtless become a leading one in this branch of jurisprudence, involving as it does the right of the Indians to set off damages sustained by them against the claimant, and to obtain judgment in their own favor against the claimant for injuries committed against them.

### BROUGHT TO TIME.

Commander Evans Gives Chilean Insistence a Foretaste of What May Be Expected—Congressman O'Neal Tired of Delay.

WASHINGTON, Jan. 12.—The following cable message from Commander Evans, commanding the gunboat Yorktown, the only United States vessel now in Chilean waters, has been made public: Secretary of the Navy:

VALPARAISO, Jan. 9.—Yesterday afternoon my gig, while lying off the landing place waiting, was stoned by three men in a crowd of bad characters, but no one injured. I visited immediately the senior naval officer of Chili and requested him to notify the police authorities that I demanded their efficient protection and that if the offense was repeated I would take the matter in my own hands and protect my men with arms. Much regret was expressed by the senior naval officer who sent at once to the police. To-day I have assurances that the parties will be punished and protection given.

### MR. O'NEAL TIRING OF DELAYS.

Mr. O'Neal, of Massachusetts, was on the eve of introducing a resolution in the house yesterday calling for the Chilean correspondence and declaring that if the facts which were being testified in California were true a "casus belli" existed. The feeling in the house would have no doubt sustained such a resolution had it been offered, but by the earnest advice of Representative Blount it was withheld.

Last night Mr. O'Neal said: "I believe that a gross outrage has been committed by the Chilean officials upon our sailors. I believe, too, that it is the natural outgrowth and expression of ill feeling and hatred which the Chileans have long felt against this country and its citizens. There has been time enough and talk enough already in this matter. Our position is right, our demands on Chili just and my sentiment is for their immediate enforcement, and if necessary by the strong hand. To-day I deferred to older and more experienced counsel than my own."

### Rome's Population.

ROME, Jan. 12.—Notwithstanding the hard times that have prevailed in Italy, and especially in Rome, the authorities state officially that the population of Rome increased during the year 1891 by nearly 20,000. The city now contains about 433,000 people.

## M'KINLEY INAUGURATED.

Political Friends and Foes of Ohio's Governor Unite Harmoniously in the Exercises.

COLUMBUS, O., Jan. 12.—William McKinley, Jr., was inaugurated governor of Ohio yesterday with an eclat in imposing pageantry and numbers unexampled in the state's history. Notwithstanding the severity of the winter weather the city was crowded with people from all parts of Ohio, and large delegations from neighboring states. Not since the national Grand Army encampment of 1888 has Columbus been the center of such crowds and such enthusiastic demonstrations. The occasion has been non-partisan, the political friends and foes of the new governor all joining with the utmost harmony and zeal in the inauguration exercises and parade.

All the state institutions and the city schools had a holiday to witness the grand demonstration than which Ohio's capital never saw on any grander scale or with more enthusiasm. Hours before the time the streets were crowded and general business largely suspended.

In the evening Gov. and Mrs. McKinley gave a grand reception to the public at their headquarters, the Chittenden hotel. Gov. McKinley bravely stood the fatigue incident to his inauguration, although he had only a few days before arisen from his sick bed and had to face one of the coldest, rawest days of this winter and run the gauntlet of the tens of thousands assembled eager to grasp him by the hand.

The President Said Not to Be Satisfied With the Chilean Situation. WASHINGTON, Jan. 12.—President Harrison has never put much faith in the talk of Chilean apologies and reparation, and in view of the unsatisfactory report of the procurator fiscal investigation of the riot and its contradiction by the report of Capt. Schley and the testimony being taken by Col. Remy at Mare Island, it is reported that he will send a message to congress asking for authority to enforce the reparation which Chili will not make willingly.

Nothing but the concern of the president to know about the attitude of Chili could make a current story appear at all credible. It is not considered proper for a foreign minister to call upon the executive. It may be proper but it would be unusual for the president, having a secretary of state, to ask a minister to call upon him in order that information might be obtained which the secretary of state ought to be able to secure. Yet it is related here that Minister Montt was at the White house Saturday, the president having sent for him through Assistant Secretary of State Wharton. When the Chilean diplomat arrived at the White house the president asked him whether he had any intimation, either directly or indirectly, of the intention of the Chilean government to make reparation to the United States for the attack on the seamen of the Baltimore. The president also asked whether the Chilean government or any person in official connection with that government had ever in any way intimated that Chili would propose that the issue between the two countries be submitted to arbitration in any form. To both these questions the minister is said to have given diplomatic but negative answers. The story is an extraordinary one, but Mr. Montt neither affirms or denies it.

### NOT SATISFIED.

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### BALMACEST REFUGEES.

Minister Egan Escorts Three From the American Legation to a United States Man-of-War.

NEW YORK, Jan. 12.—The Herald's man at Valparaiso cables thus: There is a great deal of talk about the action of Minister Egan yesterday in escorting the three Balmaceda refugees, Juan and William McKenna and Jose Carrera, from the American legation at Santiago to Valparaiso and placing them aboard the United States cruiser Yorktown, but the knowledge that he did so with the tacit approval of the new administration has disarmed severe criticism. The press gives considerable space to the subject, but discusses it in a calm spirit. While in nowise condemning Mr. Egan for what he has done in the matter, it asserts that the United States government must assume the responsibility if it loses the respect of the public in escorting such characters as these refugees, for his doing so degrades him to the level of a policeman. Then recalling the well established fact that Mr. Egan had done exactly the same thing for many prominent congressionalists in their hour of peril, the press goes on to say that there is no comparison between caring for men like Pedro Montt, Augustin Edwards and others of their standing, who were on the side of liberty and order, and protecting these refugees, who are known outside of their career as Balmaceda's coadjutors, to be men utterly devoid of good deeds. This, it adds, is especially the case with Juan McKenna, whom it accuses of endeavoring to rob an American named Chase of a silver mine near Iquique, and of afterwards hiring men to attack him. "But La Union says, 'the country is well rid of them. We hope, however, that congress will pass laws confiscating their property.'"

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### Killed in a Mine.

DENVER, Col., Jan. 12.—Isaac Pearly was killed by an explosion of giant powder in the tunnel of the Pioneer mine at Aspen, Col., between 11 and 12 o'clock last night. His right arm was completely torn off and his right leg was terribly mutilated. It is not known just how the accident happened, as the man was alone. He had just entered the tunnel with some powder, and the supposition is that he accidentally struck it against a projecting rock or in some way got it in contact with his candle. He was from Maine.

## IMPORTANT DECISION.

The United States Supreme Court Reverses Judge Gresham in the Noted Counselman Case.

WASHINGTON, Jan. 12.—It has now become settled that witnesses cannot be compelled to testify in any criminal cases where the answers might tend to criminate them in any way or subject them to possible future prosecution. It is held that the fifth amendment to the constitution, giving persons the right to refuse to answer questions which might be against them in criminal cases, must be construed in its broadest sense. Such is the effect of the decision of the United States supreme court in the celebrated inter-state commerce case of Charles Counselman, appellant, vs. Frank Hitchcock, marshal of the United States for the northern district of Illinois. The supreme court says Judge Gresham's order was erroneous and that Counselman cannot be compelled to testify. It is said the effect of the decision will seriously hamper the inter-state commerce act. The court's decision was unanimous.

The Counselman case had its origin in an investigation begun in 1890 by the grand jury of the United States district court for northern Illinois into certain alleged violations of the inter-state commerce act by the officers and agents of the Rock Island, the Burlington and the Chicago, St. Paul & Kansas City railway companies. Counselman, the great grain broker, was asked whether he had obtained from railroads coming to Chicago from points outside the state a rate for grain transportation less than the tariff rates. His reply to this and similar questions as to whether or not he had received rebates, drawbacks or commissions from specially named railroads, was that he declined to answer on the ground that it might tend to criminate him. The grand jury reported the refusal to the district court, and it found that Counselman's excuses were insufficient and directed him to answer. He still refusing, the court adjudged him in contempt, fined him \$500 and costs and directed the marshal to take him into custody and hold him until he should have answered the questions asked and others of similar import.

After further proceedings the circuit court, Judge Gresham delivering the opinion, discharged a writ of habeas corpus it had issued to Counselman pending its decision, and made an order sustaining the district court. From Judge Gresham's order the appeal in this case was prosecuted and Counselman meantime admitted to bail. Counsel for the witness (appellant) besides urging the plea that the witness was protected by the fifth amendment to the constitution from answering any questions which might tend to criminate him in any case, also attacked the right of the grand jury to proceed in such investigations.

The court, in its opinion, rendered by Justice Blatchford, says, however, that it does not find it necessary to consider any other than the point raised under the constitution as to the privileges of witnesses. It is broadly contended, says the opinion, that a witness is not entitled to plead the privilege of silence except in a criminal case against himself, but such is not the language of the constitution. Its provision is that no person shall be compelled in any criminal case to be a witness against himself. This provision must have a broad construction in favor of the right which it was intended to secure. The matter under investigation by the grand jury was a criminal matter, and the reason given by Counselman for his refusal was that his answers might tend to criminate him. His apprehension was that the answers might show that he had committed a crime against the inter-state commerce act, for which he might be prosecuted. His answers, therefore, would be testimony against himself, and he would be compelled to give them in a criminal case. It was impossible that the meaning of the constitutional provision could only be that a person should not be compelled to be a witness in a criminal prosecution against himself. The object was to insure that a person should not be compelled, when acting as a witness in an investigation, to give testimony which might tend to show that he himself had committed a crime. The privilege is limited to criminal matters, but it is as broad as the mischief against which it seeks to guard.

The court then takes up the contention that the investigation before the grand jury was not a criminal case, but solely to ascertain whether a crime had been committed, and it reaches the conclusion that the questions asked Counselman and his relation to the inquiry show that it was such a case as entitled him to invoke the protection of the constitution.

The court, therefore, rules that Counselman was entitled to refuse to answer and directs that the judgment of the circuit court be revised and the case remanded, with direction to discharge Counselman from custody.

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